

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Confirmation No. 5306

Yuji ISHINO, et al.

Date: February 28, 2011

Serial No.: 10/570,015

Group Art Unit: 4152

Filed: September 28, 2006

Examiner: Brent T. O'Hern

For: PACKED FROZEN SUSHI PRODUCT AND METHODS FOR PREPARING AND
FOR COOKING THE SAMEVIA EFS-WEB

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

TERMINAL DISCLAIMER TO OBVIATE DOUBLE PATENTING
REJECTION (37 CFR §1.321(b))

Sir:

Interest of Person Making This Disclaimer

I, Max Moskowitz, of Ostrolenk, Faber, Gerb & Soffen, LLP, with offices at 1180 Avenue of the Americas, New York, New York 10036-8403, represent that I am a representative authorized to sign on behalf of the owner(s)/assignee(s) identified below owning all of the interest in this application.

The required fee accompanies this disclaimer (~~\$140.00-large entity~~; **\$70.00-small entity**).

Identity and Title of Disclaimant

The owner(s)/assignee(s), having 100 percent interest in the instant application,
is/are:

Name of assignee Polar Star Co., Ltd. ("DISCLAIMANT")

Address of assignee 1613 Kozu-Machi, Matto-shi
Ishikawa 924-0821 Japan

Title of disclaimant authorized to sign on behalf of owner(s)/assignee(s):

Attorney of Record

Recordal of Assignment in PTO

The assignment was recorded on February 28, 2006 at Reel 017633, Frame 0126.

Disclaimer

DISCLAIMANT hereby disclaims the terminal part of any patent granted on the above-identified present application which would expire beyond the expiration date of the full statutory term of U.S. Application No. 11/817,285 filed August 28, 2007 and U.S. Application No. 10/570,016 filed February 28, 2006; and

agrees that any patent so granted on the above-identified present application shall be enforceable only for and during such period that said patent and U.S. Application No. 11/817,285 filed August 28, 2007 and U.S. Application No. 10/570,016 filed February 28, 2006 remain commonly owned, this agreement to run with any patent granted on the above-identified present application and to be binding upon the grantee, its successors or assigns; and

does not disclaim any terminal part of any patent granted on said above-identified present application that would extend to the full statutory term of U.S. Application No. 11/817,285 filed August 28, 2007 and U.S. Application No. 10/570,016 filed February 28, 2006 in the event that said issued patent later expires for failure to pay maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term, except for the separation of common ownership stated above.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: February 28, 2011



MAX MOSKOWITZ